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LINCOLN, NEBRASKA
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MAY 21 1966

Editorial Of The Day

The CIA Above The Law?

From The St. Louis Post-Dispatch

President Johnson probably will be asked to remind the CIA that it is not above the law. An appeal to him is being planned in connection with a case now pending in Federal court in Balti-

more. It is a suit for damages by a man who charges that he was falsely accused of being a Soviet agent by an employee of the CIA.

The hush-hush agency, however, has refused to allow its employee to make a deposition, and it has asked that the case be thrown out of court. Its claim is that the accusation was made under orders, and that the employee therefore was speaking for the Government which, of course, cannot be sued.

The CIA, like the FBI before it, fears that its secrets might be revealed in testimony under oath. But are CIA secrets entitled to greater protection than the law affords an American citizen? And what of the amazing implications of the CIA's theory?

Under it, an employee of the CIA or almost any other Government agency might be ordered by a relatively minor official to blacken reputations or otherwise violate the rights of citizens. Yet there would be no way of holding the agent or his superior to accountability. There would be no way of assuring a citizen of justice. That's how it is in a police state.

The CIA would not become involved in situations such as this one if it confined itself to gathering information — and we trust, solid, factual information — and avoided overt activities at home and abroad.